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July 9, 2021

BY ECF

Honorable Mary Kay Vyskocil
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/9/2021

Re: *Stewart et. al. v. Nurture Inc.*, Case No. 21-cv-1217
Letter Motion for Continuance of Time to Respond to the Complaint

Dear Judge Vyskocil:

We represent Defendant Nurture, Inc. (“Nurture”) in the above-referenced action. Pursuant to Section 2(G) of this Court’s Individual Practice Rules, Nurture writes to respectfully request a continuance of Nurture’s time to respond to the complaint in the above-referenced action, from July 23, 2021 until such time as this Court rules on the motion to consolidate pending in this case (the “Consolidation Motion”), lead counsel is appointed, and a schedule for amending the consolidated complaint and its subsequent response is negotiated.

The unopposed Consolidation Motion seeks to consolidate five cases pending against Nurture at the time the motion was filed and any other subsequently filed or transferred related actions, only to the extent such actions name Nurture as the sole baby food manufacturer defendant and do not allege any personal injury and product liability claims for non-economic damages, which to date includes eight additional actions that were subsequently filed or transferred (the “Consolidation Motion”) (ECF Nos. 13-15, 19-21, 33-34; *see also Lawrence et al. v. Nurture, Inc.*, 1:21-cv-5748, ECF No. 3).¹ Nurture seeks this extension in the interest of judicial economy and to preserve the parties’ and Court’s resources until such time as the Consolidation Motion is decided. The Court this week granted the same extension in nine other related cases.

This is Nurture’s third request for an extension of time to respond to the complaint in this case. Its prior requests were granted (ECF Nos. 12, 28). This extension will not affect any pending deadlines set by Court order. This request is made with the consent of the plaintiffs.

¹ No party has objected to the consolidation of the actions currently subject to the Consolidation Motion. Certain of the plaintiffs have opposed the request to set a schedule for briefing of appointment of lead counsel.



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Respectfully submitted,

/s/ Colleen Carey Gulliver
Colleen Carey Gulliver

cc: All counsel of record (by ECF)

Granted. SO ORDERED.

Date: 7/9/2021
New York, New York

Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge